

MEMO ENDORSED**GILBERT KELLY**

Gilbert L. Kelly, Crowley & Jenneff LLP

1013 Galleria Boulevard, Suite 205
 Roseville, California 95678-1363
 (916) 472-3311 Fax: (213) 615-7100

MAILING ADDRESS:

550 South Hope Street, 22nd Floor
 Los Angeles, California 90071-2627

PLEASE REFER TO FILE: 18124-00003 ALD

DOCUMENT ID: 4149813.1

EMAIL: cfr@gilbertkelly.com

www.gilbertkelly.com

October 24, 2016

The application is X granted.
 denied.

VIA FACSIMILE

The Honorable Nelson S. Román
 United States District Court for the Southern District of New York
 United States Courthouse
 300 Quarropas Street
 Courtroom 218
 White Plains, NY 10601

Nelson S. Román, U.S.D.J.

Dated: Oct. 25, 2016

White Plains, New York 10601

Attorney Diesch granted leave to
 appear via telephone at Pre-Motion
 Conf. on Nov. 3, 2016 by calling the
 Court's conference line: 914-390-4082.
 All future appearances before Judge
 Román must be in-person.

Re: *Petrosino v. Stearn's Products, Inc.*
 Case No. 7:16-cv-7735-NSR
Request for Telephone Appearance at Pre-Motion Conference

Dear Judge Román:

We represent Stearn's Products, Inc. in the above referenced matter. I write to
 request permission to appear via telephone at the Pre-Motion Conference set for
 November 3, 2016 at 10:00 a.m.

Local counsel Joshua D. Anders and I are co-lead counsel on this matter for
 Stearn's. While Mr. Anders has the specific knowledge and expertise of New York civil
 practice, I have represented Stearn's as its California counsel for a number of years, and
 thus have greater familiarity with Stearn's business practices, its products and
 formulations, and the facts of the case. Moreover, I am able to provide specific details
 relevant to the motion to dismiss, which is the subject of the Pre-Motion Conference.

Unfortunately, I have a conflict with the November 3 date which makes it difficult
 to travel to New York for the in-person conference. Specifically, I am a liaison member
 of NSF International's Council of Public Health Consultants and am scheduled to speak
 at its annual conference in Ann Arbor, Michigan that same day. Accordingly, I would
 greatly appreciate being able to appear via telephone at the conference. In addition, Mr.
 Anders will appear in person.

USDC SDNY
 DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 10/25/2016

Los Angeles

San Francisco

Sacramento

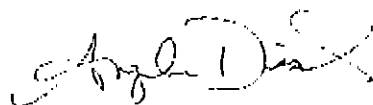
San Diego

The Honorable Nelson S. Román
October 24, 2016
Page 2

Thank you for your consideration.

Very truly yours,

GILBERT, KELLY, CROWLEY & JENNETT LLP

A handwritten signature in dark ink, appearing to read "Angela L. Diesch". The signature is fluid and cursive, with the first name "Angela" and last name "Diesch" clearly distinguishable.

ANGELA L. DIESCH

cc: (via email):
Joshua D. Anders, Esq. (Counsel for Defendant)
Jason P. Sultzer, Esq. (Counsel for Plaintiff)
Joseph Lipari, Esq. (Counsel for Plaintiff)